IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

AND
THE HON'BLE MR. JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 2111 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/08/2004 in WP NO : 14906 OF 2004 on the file of the High Court.)

Between:

P. Cheeralu, S/o Komaraiah,
Mahabubia High School, Warangal, Warangal District.

..... APPELLANT

AND

1 The Secretary -cum- Correspondent, Mahabubia High School, Warangal District.
2 The District Educational Officer, Warangal, Warangal district.
3 The Regional Joint Director of School Education, Warangal,

Warangal District.
4 P. Sarala Devi,

Occ: School Assistant,
Mahabubia High School, Warangal, Warangal District.

.....RESPONDENTS

Counsel for the Appellant: MR.M.V.RAJA RAM

Counsel for Respondent Nos. 1 to 3: GP FOR EDUCATION

Counsel for Respondent No.4:

The Court made the following order at the admission stage:(per TMK, J)

The present writ appeal is filed questioning the order dated 23-08-2004, in W.P.No.14906 of 2004, passed by a learned single Judge of this Court.

The above writ petition was filed by the appellant/writ petitioner to declare the action of the respondents herein promoting the 4th respondent as School Assistant vide proceedings No.13, dated 12-05-2004 by the 1st respondent as arbitrary and illegal, and consequently to direct the respondents to set aside the impugned proceedings dated 12-05-2004 and promote the appellant/writ petitioner as School Assistant with all consequential benefits.

The learned single Judge of this Court disposed of the writ petition holding that the representation already filed by the appellant/writ petitioner lost its effect in view of subsequent development and granting liberty to the appellant/writ petitioner to make a fresh representation about his right at the appropriate time.

In view of the fact that the vacancy claimed by the appellant/writ petitioner pertains to School Assistant (Science), but, as the appellant/writ petitioner is qualified for appointment to the post of School Assistant (Arts), the learned Judge rightly

disposed of the writ petition with a direction as stated above.

In the light of the facts recorded above, we find no legal infirmity in the order passed by the learned single Judge. The order passed by the learned single Judge does not suffer from any illegality or jurisdictional error.

In the circumstances, the writ appeal fails and the same shall accordingly stand dismissed at the stage of admission. No costs.

(T.MEENA KUMARI, J)

(S.ANANDA REDDY, J)

DATED: 27-01-2005

Vs/lvl

To

1 The Secretary -cum- Correspondent, Mahabubia High School,
Warangal District.
2 The District Educational Officer, Warangal, Warangal district.
3 The Regional Joint Director of School Education, Warangal,

Warangal District.
4 Two CCs to the G.P for School Education, High Court of A.P.,

Hyderabad.(O.U.T)

5 2 CD copies